

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

TEO VAN PHAN, NHU VAN PHAN, HOA
VAN HUYNH, KIM NGUYEN, TANG
(JANNY) NGUYEN, THUY NGUYEN,

Defendants.

4:12CR3059

ORDER

Defendant Teo Van Phan has moved to continue the pretrial motion deadline, (filing no. 65), because the defendant has recently received additional discovery from the government and needs to review that discovery before deciding if pretrial motions should be filed. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Teo Van Phan's motion to continue, (filing no. 65), is granted.
- 2) **As to all defendants**, pretrial motions and briefs shall be filed on or before July 16, 2012.
- 3) **As to all defendants**, trial of this case remains scheduled to commence on July 31, 2012.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial. Accordingly, **as to all defendants**, the additional time arising as a result of the granting of the motion, the time between today's date and July 16, 2012, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because, despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7).

June 29, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge